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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

BROOKSHIRE BROTHERS HOLDING, : DOCKET NO. 04-1150  
INC., ET AL

VS. : JUDGE TRIMBLE

TOTAL CONTAINMENT, INC, ET AL : MAGISTRATE JUDGE WILSON

**MEMORANDUM RULING AND ORDER**

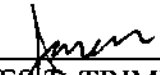
Before the Court is a "Motion to Review Clerk's Taxation of Costs" filed by dismissed defendants, Jay Wright, Tony Adamson and Homer Holden. By Judgment dated April 27, 2006, this Court granted Movants' motion and dismissed Plaintiffs' claims against them with prejudice at Plaintiffs' costs. (doc. #331) On May 10, 2006, Movants filed their Bill of Costs with supporting affidavit and exhibits detailing expenses incurred as a result of the claims brought against them. Plaintiffs objected to the costs and on August 16, 2006, the Clerk disallowed Movants' costs, *in toto*. Movants hereby request that this Court review the Clerk's disallowance of various costs.

The Court has reviewed the costs and considered each parties arguments. As to the deposition expenses, the deposition transcripts were not used by the Court in deciding the motion and these cost will not be allowed. The Court agrees with the Clerk's prior ruling that items such as CDs and the conversion of documents to another format are not allowable under 28 U.S.C. § 1920. As to the Law Firm's copying costs, the Court is satisfied with the detailed summary of the copying costs along with the sworn affidavit of Nancy Scott Degan that the costs in the amount of \$316.10 were necessary for use in this case. Accordingly, it is

ORDERED that the motion to review the Clerk's Taxation of Costs is hereby **GRANTED** to the extent that defendants, Jay Wright, Tony Adamson and Homer Holden are awarded the cost

of copies made by the Law Firm in the amount of \$316.10; otherwise the motion is denied.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 16<sup>th</sup> day of  
January, 2007.

  
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JAMES T. TRIMBLE, JR.  
UNITED STATES DISTRICT JUDGE